

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	No. 3:05CV00150 GTE
)	
LARRY THOMAS and ROSIE LEE THOMAS)	

JUDGMENT

Pursuant to the Court's Order granting the plaintiff's Motion for Summary Judgment, it is hereby **ORDERED, DECREED AND ADJUDGED:**

1. The Court has jurisdiction over the parties and over the property which is the subject of this cause of action.

2. Defendants, Larry Thomas and Rosie Lee Thomas, are in default on their obligation to plaintiff and are indebted to the United States of America, U.S. Department of Agriculture, Farm Service Agency, in the principal sum of \$47,036.02, and interest in the sum of \$10,142.22 accrued to July 24, 2007, and thereafter at the daily rate of \$5.9519 to date of this judgment and thereafter at the statutory rate pursuant to 28 U.S.C. Section 1961, plus advances and recoverable charges made for protection and maintenance of the subject property, and the costs of this action. Plaintiff United States of America, U.S. Department of Agriculture, Farm Service Agency, is hereby awarded judgment in rem against the property described herein for the above-mentioned sums. No personal judgment having been prayed for, none is rendered.

3. The above-described indebtedness due and owing to the United States of America, U.S. Department of Agriculture, Farm Service Agency, is secured by a security interest in all crops and equipment, then owned or thereafter acquired, together with all replacements,

substitutions, additions and accessions thereto, including but not limited to the items listed on said security agreement. The security interest of Farm Service Agency in farm equipment (described in paragraph 5) of the defendants, Larry Thomas and Rosie Lee Thomas, was properly perfected by the filing of the following financing statements and continuation statements in the records of the Circuit Clerk and Recorder of Crittenden County, Arkansas:

Loan Type	Date of Note	Principal Amount	Interest Rate	Terms
OL-44-04*	January 14, 1999	\$34,470.00	5.0%	15 annual installments in the amount of \$3,322.00 beginning January 1, 2000.
*Note: This Note is subject to a 1951-T under Disaster Designation No. T1999, setting aside the installment due January 1, 2000, in the amount of \$3,322.00. Further, this Note was rescheduled from Note No. 44-01 dated March 20, 1998 in the amount of \$32,850.00.				
OL-44-05*	January 14, 1999	\$17,978.52	5.0%	15 annual installments in the amount of \$1,733.00 beginning January 1, 2000.
*Note: This Note is subject to a 1951-T under Disaster Designation No. T1999, setting aside the installment due January 1, 2000, in the amount of \$1,733.00.. Further, this Note was rescheduled from Note No. 44-02 dated March 20, 1998 in the amount of \$17,400.00.				
EM-43-07	August 1, 2000	\$5,785.65	3.75%	15 annual installments in the amount of \$512.00 beginning April 1, 2001.
*This Note was rescheduled from the note 43-03 dated January 14, 1999 in the amount of \$20,550.00.				

4. That such judgment and the above-described security agreements and financing statements held by the plaintiff be declared to constitute a lien security interest on the personal property.

5. The **COURT ORDERS AND DIRECTS THE DEFENDANTS, LARRY THOMAS AND ROSIE THOMAS, TO FORTHWITH SURRENDER AND DELIVER POSSESSION OF THE FARMING EQUIPMENT DESCRIBED AS FOLLOWS:**

Quantity	Kind	Manufacturer	Size and Type	Condition	Year	Serial No.
1	Tractor	John Deere	4840 CAD	Good		00163R
1	Disc	John Deere	630 -- 22-Foot	Fair		N00630X003468
1	Planter w/Marker	John Deere	7340 -- 14-Row	Good		A07340A10082
1	Chisel Plow	Int'l. Harvester	53 -- 19-Foot	Good		55C1121
1	Fuel Tank		500 gallon	Good		
1	Combine	John Deere	9500	Good	1990	H09500X632261
1	Header	John Deere	925 flex	Good	1994	H00925F655995

OR ANY REPLACEMENTS OR SUBSTITUTIONS OF THESE ITEMS, to the Plaintiff for sale by the U.S. Department of Agriculture, Farm Service Agency, in accordance with the provisions of the Uniform Commercial Code, and that the sale proceeds be paid and distributed to the United States of America, Farm Service Agency, in satisfaction of the indebtedness owed to the plaintiff.

6. The Clerk of this Court is hereby authorized and directed to issue writs of assistance upon application therefor to the United States Marshal for the Eastern District of Arkansas who will proceed to place the Plaintiff in possession of said property.

7. The sale proceeds, after expenses of sale, shall be paid to the plaintiff United States of America to the extent of the indebtedness owed to the United States of America. Any surplus shall be retained in the registry of the Court subject to further orders of the Court.

8. The Court retains jurisdiction of this cause for the making of such further orders as may be necessary to effectuate this judgment.

DATED this 31st day of October, 2007.

/s/Garnett Thomas Eisele
UNITED STATES DISTRICT JUDGE